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funds constitutes embezzlement and is subject to imprisonment and fine, loss of office, and liability upon bond for any loss. When public funds have been properly deposited in a duly designated bank the officer in charge of such funds is to that extent exempted from liability for loss due to the failure or bankruptcy of the bank. The act goes into effect on December 1. Its passage necessitated a readjustment of the salary schedule for State and county treasurers.

CHARLES B. LESTER.

Fire Marshals. A State detective force headed by the State fire marshal for the investigation of the "cause, origin or circumstances" of fires is being urged in Illinois having been indorsed by Governor Deneen in his message. The bill is modeled on the Ohio (Rev. St. 1906, §409-50) law. The Wisconsin and North Dakota legislatures are also considering similar measures. State fire marshals or officers having similar duties now exist in Massachusetts, Connecticut, Maryland, Washington and Ohio; and in Pennsylvania, in cities of over 100,000, a city marshal is provided.

Hours of Labor of Railway Employees. An act "to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees" was passed by congress and approved by the president March 4, 1907. (Public—no. 274.) The act applies to any common carrier engaged in interstate transportation of passengers or property by railroad in the United States. The term "railroad" as used in the act includes all bridges and ferries used or operated in connection with any railroad and also all the road in use by any common carrier operating a railroad whether owned or operated under a contract, agreement or lease; and the term "employees" as used in the act is held to mean persons actually engaged in or connected with the movement of any train.

The act makes it unlawful for any common carrier, its officers, or agents to require or permit any employee subject to the provisions of the act to remain on duty for a longer period than sixteen consecutive hours, and whenever any employee of such common carrier shall have been continuously on duty for sixteen hours, the act requires that he shall be relieved and shall not be permitted again to go on duty until he has had at least ten consecutive hours off duty; and no employee who has been on duty sixteen hours in the aggregate in any

twenty-four hour period, is to be permitted to continue or again go on duty without having had at least eight consecutive hours off duty. Provision is also made that no operator, train dispatcher or other employee who by the use of the telegraph or telephone dispatches, reports, transmits, receives or delivers orders pertaining to or affecting train movements shall be permitted to remain on duty for a longer period than nine hours in any twenty-four hour period in all towers, offices, places and stations continuously operated night and day; nor for a longer period than thirteen hours in all places operated only during the day time, except in case of emergency when such employee may be permitted to remain on duty for four additional hours in a twenty-four hour period on not exceeding three days in any week. The Interstate Commerce Commission may, after full hearing, in a particular case and for good cause shown, extend the period within which a common carrier shall comply with this proviso.

Any common carrier permitting any employee to be on duty in violation of the provisions of the act is made liable to a penalty of not to exceed \$500 for each violation, to be recovered in a suit to be brought by the United States district attorney, in the district court of the United States having jurisdiction in the locality where such violation shall have been committed; it is made the duty of the district attorney to bring such suits upon satisfactory information being lodged with him; but no suit may be brought after the expiration of one year from the date of the violation; and it is made a duty of the Interstate Commerce Commission to lodge with the proper district attorneys information of any violations which may come to its knowledge. In all prosecutions under the act the common carrier is deemed to have had knowledge of all acts of all its officers and agents. Provision is made that the act shall not apply to crews of wrecking or relief trains, nor in any case of casualty or unavoidable accident or the act of God, nor when the delay was the result of a cause not known to the carrier or its officers or agents in charge of such employees at the time the employees left the terminal and which could not have been foreseen.

The act takes effect one year after its passage and it is made the duty of the Interstate Commerce Commission to enforce its provisions.

Income Tax. During February, 1907, a measure proposing a national income tax was introduced into the French chamber of